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GOVERNMENT OF INDIA

MINISTRY OF STATES

NOTIFICATION

New Delhi, the 25th December 1948

No. 386-IB.—In exercise of the powers conferred by section 4 of the Extra-Provincial Jurisdiction Act, 1947 (XLVII of 1947), and of all other powers enabling it in that behalf, the Central Government is pleased to make the following Order namely:—

1. (1) This order may be called the Himachal Pradesh (Application of Laws) order, 1948.

(2) It extends to the whole of Himachal Pradesh.

(3) It shall come into force on the 25th December, 1948.

2. In this Order, "Himachal Pradesh" means the territories to which the Himachal Pradesh (Administration) Order, 1948, for the time being extends.

3. The enactments specified in the Schedule to this Order shall apply to Himachal Pradesh subject to—

(a) any amendments to which the enactments are for the time being generally subject in the territories to which they extend,

(b) the modifications and restrictions specified in the Schedule to this Order, and

(c) the subsequent provisions of this Order.

4. Except as otherwise specially provided in the schedule to this Order, the enactments applied by this Order shall be construed as if references therein to the authorities or territories mentioned in the first column of the table hereunder printed were references to the authorities and territories, respectively, mentioned opposite thereto in the second column of the said table.

TABLE

1. Provincial Government, Governor or Chief Controlling Revenue authority.	The Chief Commissioner of Himachal Pradesh.
2. Government.	The Central Government or the Chief Commissioner of Himachal Pradesh, as the context may require.
3. High Court.	Court of the Judicial Commissioner Himachal Pradesh.
4. Provinces of India, and Province of India or any Part thereof.	Himachal Pradesh or any part thereof.

5. Where any enactment applied by this Order confers a power on the Central Government or any other authority in Himachal Pradesh to make rules, regulations, general orders or bye-laws, that power shall be deemed to include a power to apply to Himachal Pradesh or any part thereof, whether with or without modifications, any rules, regulations, general orders or bye-laws, as the case may be, made under that enactment and for the time being in force in all or any of the Provinces of India.

6. Any Court may construe the provisions of any enactment, rule, regulation, general order or bye-law, with such modifications not affecting the substance as may be necessary or proper in the circumstances.

7. (1) Unless otherwise specially provided in the schedule to this Order, all such laws in force in Himachal Pradesh which correspond to the enactments enumerated in the Schedule and which are continued in force by Section 5 of the Himachal Pradesh (Administration) Order, 1948, shall cease to have effect save as respects things done or omitted to be done before the commencement of this Order.

(2) The Notification of the Government of India in the Ministry of States No. 245-IB, dated the 30th June, 1948, is hereby cancelled.

CENTRAL ACTS

Year	Enactments applied	Modifications and Restrictions
1839	Interest Act XXXII of 1839 .	....
1850	Judicial Officers Protection Act. XVIII of 1850. Caste Disabilities Removal Act XXI of 1850.	....
	State Prisoners Act XXXIV of 1850.	Omit sub-section (2) of section 1.
	Public Servants (Inquiries) Act XXXVII of 1850.	....
1853	Land Holders' Public Charges and Duties Act II of 1853.	....
1855	Legal Representatives Suits Act XII of 1855.	....
	Indian Fatal Accidents Act XIII of 1855.	....
1856	Hindu Widows Remarriage Act XV of 1856.	....
1859	Forfeiture Act IX of 1859 .	....
1860	Societies Registration Act XXI of 1860.	....
	Indian Penal Code XLV of 1860	(1) Omit the words from "and shall take effect" to the end of section.
1861	Police Act V of 1861 . .	(1) Unless otherwise specially provided for in the Act, substitute "Central Government" for "Provincial Government" wherever these words occur in the Act. (2) In sub-section (1) of Section 15, the words "Provincial Government" shall stand unmodified. (3) In sub-section (2) of Section 15A and sub-sections (3) and (4), the words "Provincial Government" shall stand unmodified.
1865	Carriers Act III of 1865 .	....
1866	Native Converts Marriage Dis-solution Act XXI of 1866	....
1867	Public Gambling Act III of 1867	(1) Insert "and Himachal Pradesh" after the words "Lower Burma" in the title. (2) Insert "and Himachal Pradesh" after the words "Central Provinces" in the preamble.

Year	Enactments Applied	Modifications and Restrictions
	Acting Judges Act, XVI of 1867	.....
	Press and Registration of Books Act, XXV of 1867.	.....
1869	Indian Divorce Act, IV of 1869	(1) Omit the words "and shall come into..... 1869" in section 1. (2) Omit the first paragraph of section 2. (3) Omit clause (1) in section 3. (4) Omit section 17-A.
1870	Court Fees Act, VII of 1870 (as amended by the Punjab Court fees (amendment) Acts (Act VII of 1922), Acts I and VI of 1926 and IV of 1939).	Omit paras 2 and 3 of section 1.
1871	Cattle Trespass Act I of 1871 . Pensions Act, XXIII of 1871 .	Omit sub-section (2) of section 1. Omit the words "It extends to the whole of British India" in section 1.
1872	Indian Evidence Act, I of 1872 . Special Marriage Act, III of 1872 Indian Contract Act, IX of 1872 Indian Christian Marriage Act, XV of 1872.	(1) Omit the words "It extends.....and" in section 1. (2) Omit the third para of section 1. Omit section 1. Omit the second paragraph of section 1. Omit para (2) of section 1.
1873	Government Savings Bank Act, V of 1873.	Omit the words "it extends.....British India" in section 1.
	Indian Oaths Act X of 1873 .	Omit para (2) of section 1.
1875	Indian Majority Act IX of 1875 Indian Law Reports Act, XVIII of 1875.	Omit the second paragraph of section 1. Omit paragraphs second and third of section 1.
1876	Dramatic Performances Act, XIX of 1876.	Omit the words "It extends to the whole of British India" in section 1.
1877	Specific Relief Act, I of 1877 .	Omit the second and third paragraphs of section 1.
1878	Opium Act, I of 1878 (as in force in the Punjab). Indian Treasure-trove Act, VI of 1878. Indian Arms Act, XI of 1878 .	Omit the words beginning with "It shall extend" to the end of section 1. Omit the words "It extends to the whole of British India" in section 1. (1) Omit the words "and it extends to the whole of British India" in section 1. (2) Omit section 2.
1879	Hackney Carriage Act, XIV of 1879.	(1) Omit the words from "Nothing herein contained" to the end of section 1. (2) Substitute the following definition of Hackney-carriage in section 2,— "Hackney-carriage" means any wheeled vehicle drawn or pushed by man or horse, bullock or other animal and used for the conveyance of any person which is kept, or offered or plies for hire by the hour or day or distance. (3) In Section 6, at the end of clauses (a) and (b), insert "under this Act or any similar law for the time being in force" and in clause (c), after "granted", insert "including the grounds on which they shall be liable to be revoked or suspended". (4) After section 10, add the following new section:— "11. <i>Penalty for injury Hackney-Carriage.</i> Any person using a hackney-carriage and wilfully or negligently injuring the same, shall, on conviction before a magistrate, be punished with fine which may extend to twenty rupees and shall also pay to the owner as compensation such sum as the magistrate may think fit; such sum shall be recoverable as if it were a fine."
	Legal Practitioners Act, XVIII of 1879.	(1) Omit the words "and shall come into force on the first day of January, 1880" in section 1. (2) Omit the second and third paragraphs of section 1.

Year	Enactments Applied	Modifications and Restrictions
		<p>(3) Omit proviso to section 10.</p> <p>(4) After Chapter VI, the following Chapter shall be inserted, namely :—</p> <p style="text-align: center;">" Chapter VI-A</p> <p style="text-align: center;">Of clerks of Advocates and Pleaders.</p> <p>Powers to make rules as to employment and registration etc. of clerks of Advocates and Pleaders.</p> <p>31. A. (1) The High Court, may, from time to time, make rules consistent with this Act, as to the following matters, namely :—</p> <p>(a) The employment of clerks by Advocates and Pleaders.</p> <p>(b) The manner in which and terms subject to which such clerks may be registered as recognised clerks.</p> <p>(c) The fees (if any) to be paid for recognition.</p> <p>(2) All rules made under this Section shall be submitted to the Chief Commissioner, Himachal Pradesh for approval, and, after they have been approved, they shall be published in the Official Gazette and on publication shall have effect as if enacted in this Act."</p>
1880	Kazis' Act, XII of 1880	Omit second paragraph of section 1.
1881	Municipal Taxation Act, XI of 1881.	Omit para 2 of section 1.
	Negotiable Instruments Act, XXVI of 1881.	Omit the words from " It extends to British India " and " it shall come into force on the first day of March, 1832 " in section 1.
1882	Indian Trusts Act, II of 1882	<p>(1) Omit the words from " and it shall come into force " to " British India " in section 1.</p> <p>(2) In section 1 for the words " said day " substitute " the enforcement of this Act ".</p>
	Indian Forefront Act, V of 1882.	Omit 2nd and 3rd paras of section 1.
1883	Land Improvement Loans Act XIX of 1883.	Omit sub-section (2) of section 1.
1884	Indian Explosives Act, IV of 1884.	<p>(1) Omit sub-section (2) of section 1.</p> <p>(2) Omit section 2.</p>
	Agriculturists Loans Act, XII of 1884.	<p>(1) Omit sub-section (2) of section 1.</p> <p>(2) Omit sub-sections (1) and (2) of section 2.</p> <p>(3) In section 4 omit the words " or in a Province .....the control of the Provincial Government".</p>
1885	Land Acquisition (Mines) Act, XVIII of 1885.	Omit sub-section (2) of section 1.
1886	Births, Deaths and Marriages Registration Act, VI of 1886.	<p>(1) Omit sub-section (2) of section 1.</p> <p>(2) Omit section 2.</p> <p>(3) Substitute the words " within 6 months from the date on which this Act comes into force," for the words, " at any time before the first day of April 1891 " in section 32.</p>
1887	Suits Valuation Act, VII of 1887	Omit sections 2 and 7.
	Provincial Small Cause Courts Act, IX of 1887.	Omit sub-sections (2) and (3) of section 1.
1888	Police Act, III of 1888.	Omit sub-section (2) of section 1.
1890	Revenue Recovery Act, I of 1890.	Omit sub-section (2) of section 1.
	Charitable Endowments Act, VI of 1890	Omit sub-sections (2) and (3) of section 1.
	Guardians and Wards Act, VIII of 1890.	Omit sub-sections (2) and (3) of section 1.
	Indian Railways Act, IX of 1890.	<p>(1) Omit the words beginning with " It extends " and ending with " Baluchistan and " in sub-section (2) of section 1.</p> <p>(2) Omit sub-section (3) of section 1.</p>

Year	Enactments applied	Modifications and Restrictions
1802	Government Management of Private Estates Act X of 1802.	Omit sub-section (2) of section 1.
1893	Partition Act IV of 1893	Omit sub-section (2) of section 1.
1894	Land Acquisition Act I of 1894 1894.	Omit sub-sections (2) & (3) of section 1.
	Prisons Act IX of 1894	Omit sub-sections (2) and (3) of section 1.
1895	Crown Grants Act XV of 1895	Omit sub-section (2) of section 1.
1897	Epidemic Diseases Act III of 1897.	Omit sub-section (2) of section 1.
	Indian Fisheries Act, IV of 1897	Omit sub-section (2) of section 1.
	Reformatory Schools Act VII of 1897.	Omit sub-section (3) of section 1.
	General Clauses Act X of 1897	For the interpretation of any enactment in Himachal Pradesh the definitions contained in that Act shall be applicable only after effect has been given to any modification, restriction or rule of construction prescribed in respect of enactments by this Order.
1898	Lepers Act III of 1898	Omit sub-sections (2), (3) and (4) of section 1.
	Code of Criminal Procedure V of 1898.	(1) Omit the words "and it shall come into force on the first day of July, 1898" in sub-section (1) of section 1. (2) Omit the words, "It extends to the whole of British India, but" in sub-section (2) of section 1. (3) In clause (J), section 4, the word "High Court" shall stand unmodified. (4) Omit sections 99C and 99D and omit the first word "Every" in 99E. (5) Substitute "Central Government" for "Provincial Government" in section 266. (6) For section 378 substitute the following section:— "378. When any such case is heard before a Bench of Judges and such Judges are equally divided in opinion, the opinion of the Senior Judge shall prevail". (7) For section 429 substitute the following section:— "429. When the judges composing the court of Appeal are equally divided in opinion, the opinion of the Senior Judge shall prevail". (8) In sub-section (1) of section 503, after the words "such attendance and" insert "if such witness resides in India or any area to which this Code has been applied". (9) In sub-section (1) of section 527, the words "another High Court" and in the proviso to that sub-section the words "High Court", "Province" and "Provincial Government" shall stand unmodified. (10) Substitute "Judicial Commissioner" for "Chief Justice" in clause (e), sub-section (1) of section 4. (11) Insert "Himachal Pradesh" after the word "Assam" in section 30. (12) Insert "the Court of the Judicial Commissioner, Himachal Pradesh" after the word "Sind" in sub-section (1) of section 364 and in section 365.
	Indian Post Office Act VI of 1898.	(1) Omit the words beginning with "It extends" and ending with "Pargana of Spiti and" in sub-section (2) of section 1. (2) Omit sub-section (3) of section 1. (3) For sub-section (2) of section 7, substitute the following sub-section (2). "Unless and until such notification as aforesaid is issued, the rates chargeable for the time being in the Dominion of India shall be the rates chargeable under this Act."
	Live-Stock Importation Act IX of 1898.	Omit sub-section (2) of section 1.

Year	Enactments applied	Modifications and Restrictions
1899	Indian Stamp Act II of 1899	(1) Omit Clauses (2) & (3) of Section 1. (2) In sub-section (I) of section 57, after clause (h) insert the following clause (h) (a) "If it arises in Himachal Pradesh, to the Judicial Commissioner's Court".
	Government Buildings Act IV of 1899.	Omit sub-section (2) of section 1.
	Glanders and Farcy Act XIII of 1899.	Omit sub-section (2) of section 1.
1900	Prisoners Act III of 1900	(1) Omit sub-section (2) of section 1. (2) In clause b (ii) sub-section (1) of section 15, the words "Province" and "Provincial Government" shall stand unmodified. (3) In section 49, the words "High Court" shall stand unmodified.
1903	Indian Works of Defence Act VII of 1903.	Omit the words "and" in sub-section (1) of section 1 and omit sub-section (2) of that section.
	Indian Foreign Marriage Act XIV of 1903.	Omit sub-section (2) of section 1.
	Indian Extradition Act XV of 1903.	Omit sub-sections (2) & (3) of section 1.
1904	Ancient Monuments Preservation Act VII of 1904.	Omit sub-section (2) of section 1.
1908	Code of Civil Procedure V of 1908.	(1) Omit sub-sections (2) & (3) of section 1. (2) Omit section 115.
	Explosive Substances Act VI of 1908.	Omit the words "It extends to the whole of British India" in sub-section (2) of section 1.
	Indian Criminal Law Amendment Act XIV of 1908.	Omit sub-section (2) of section 1.
	Indian Registration Act XVI of 1908.	Omit sub-sections (2) & (3) of section 1.
1909	Whipping Act IV of 1909	Omit sub-section (2) of section 1.
1910	Dourins Act V of 1910	Omit sub-section (2) of section 1.
	Indian Electricity Act IX of 1910.	Omit sub-sections (2) & (3) of section 1.
1911	Indian Army Act VIII of 1911.	Omit sub-section (2) of section 1.
1912	Co-operative Societies Act II of 1912.	Omit sub-section (2) of section 1.
	Indian Lunacy Act IV of 1912	(1) Omit sub-section (2) of section 1. (2) In Clause (1) of section 3, the word "Government" shall stand unmodified. (3) Omit section 17. (4) In sub-section (1) of section 35, the words "Any Government asylum" shall stand unmodified. (5) The provisions of Chapter IV shall not be applicable except for the purposes of Chapter V. (6) Omit the words, "other than a proceeding before a High Court which is or may hereafter be constituted by His Majesty by Letters Patent" in clause (a) of section 91.
1913	Official Trustees Act II of 1913	(1) Omit sub-sections (2) & (3) of section 1. (2) In sub-section (2) of section 2, add the following clause (k) "In relation to Himachal Pradesh, the Judicial Commissioner's Court".
	Administrator-General's Act III of 1913.	(1) In sub-section (2) of section 1, omit the words "It extends.....Baluchistan and". (2) Omit sub-section (3) of section (1). (3) Insert the following sub-clause (1a) after sub-clause (1) of clause 12 of section 2 :— "In relation to Himachal Pradesh, the Court of the Judicial Commissioner". (4) The definition of "Government" given in clause (3) of section 2, shall stand unmodified.

Year	Enactments Applied	Modifications and Restrictions
	Mussalman Wakf Validating Act VI of 1913.	Omit sub-sections (2), (3) & (4) of section 1.
	Indian Companies Act VII of 1913.	Omit sub-sections (2) & (3) of section 1.
1914	Destructive Insects and Pests Act II of 1914.	
	Indian Copy Right Act III of 1914.	Omit sub-section (2) of section 1.
	Local Authorities Loans Act IX of 1914.	Omit sub-section (2) of section 1.
1916	Hindu Disposition of Property Act XV of 1916.	Omit sub-section (2) of section 1.
1917	Destruction of Records Act V of 1917.	
	Post Office Cash Certificates Act XVIII of 1917.	
1918	Cinematograph Act II of 1918.	Omit sub-sections (2) & (3) of section 1.
	Usurious Loans Act X of 1918.	Omit sub-section (2) of section 1.
	Bronze Coin (Legal Tender) Act XXII of 1918.	
1919	Local Authorities Pensions and Gratuites Act I of 1919.	Omit sub-section (2) of section 1.
	Pensions Act XII of 1919.	Omit sub-section (2) of section 1.
1920	Provincial Insolvency Act V of 1920.	Omit sub-section (2) of section 1.
	Charitable and Religious Trusts Act XIV of 1920.	Omit sub-section (2) of section 1 and the proviso to that sub-section.
	Identification of Prisoners Act XXXIII of 1920.	Omit sub-section (2) of section 1.
	Indian Elections Offences and Inquiries Act XXXIX of 1920.	Omit sub-section (2) of section 1.
	Auxiliary Force Act XLIX of 1920.	Omit sub-sections (2) & (3) of section 1.
1921	Maintenance Orders Enforcement Act XVIII of 1921.	Omit sub-section (2) of section 1.
1922	Police (Incitement to Disaffection) Act XXII of 1922.	Omit sub-sections (2) & (3) of section 1.
1923	Indian Mines Act IV of 1923.	Omit sub-sections (2) & (3) of section 1.
	Indian Boilers Act V of 1923.	(1) Omit sub-sections (2) and (3) of section 1. (2) Omit the words "and the local Official Gazette respectively" in sub-section (2) of section 31.
	Workmen's compensation Act VIII of 1923.	Omit sub-sections (2) & (3) of section 1.
	Indian Official Secrets Act XIX of 1923.	Omit the words "extends to the whole of British India, and " in sub-section (2) of section 1.
	Legal Practitioners (women) Act XXIII of 1923.	Omit sub-sections (2) & (3) of section 1.
1925	Indian Soldiers Litigation Act IV of 1925.	Omit sub-sections (2) and (3) of section 1.
	Provident Funds Act XIX of 1925.	Omit sub-sections (2) & (3) of section 1.
	Indian Succession Act XXXIX of 1925.	
1926	Government Trading Taxation Act III of 1926.	Omit sub-section (2) of section 1.
	Contempt of Courts Act XII of 1926.	(1) Omit sub-sections (2) & (3) of section 1. (2) In sub-sections (1) and (2) of section 2, the words 'High Court' shall stand unmodified.
	Legal Practitioners (fees) Act XXI of 1926.	Omit sub-sections (2) & (3) of section 1.
1927	Indian Forest Act XVI of 1927.	Omit sub-sections (2) & (3) of section 1.
1928	Hindu Inheritance (Removal of Disabilities) Act XII of 1928.	Omit sub-section (2) of section 1.

Year	Enactments Applied	Modifications and Restrictions
1929	Child Marriage Restraint Act XIX of 1929.	(1) Omit the words "extends to Parganas and" in sub-section (2) of section 1. (2) Omit sub-section (3) of section 1.
1930	Indian Sale of Goods Act III of 1930.	Omit sub-sections (2) & (3) of section 1.
	Indian Lac Cess Act XXIV of 1930.	Omit sub-section (2) of section 1.
1931	Indian Press (Emergency Powers) Act XXIII of 1931.	Omit sub-section (2) of section 1.
1932	Anand Marriage Act VII of 1932.	Omit sub-section (2) of section I
	Indian Partnership Act IX of 1932.	Omit sub-sections (2) & (3) of sec
	Foreign Relations Act XII of 1932.	Omit sub-section (2) of section 1.
	Criminal Law Amendment Act XXIII of 1932.	Omit sub-sections (2) & (3) of section 1.
1933	Children (Pledging of Labour) Act II of 1933.	Omit sub-sections (2) & (3) of section 1.
1934	Khaddar (Name Protection) Act VIII of 1934.	Omit sub-section (2) of section 1.
	Indian States (Protection) Act XI of 1934.	Omit sub-sections (2) & (3) of section 1.
	Indian Carriage by Air Act XX of 1934.	Omit sub-sections (2) & (3) of section 1.
	Indian Aircraft Act XXII of 1934.	Omit "extends to Parganas and" in sub-section (2) to section 1.
	Factories Act XXV of 1934.	Omit sub-sections (2) & (3) of section 1.
	Petroleum Act XXX of 1934.	Omit sub-sections (2) & (3) of section 1.
1936	Payment of Wages Act IV of 1936	Omit sub-sections (2) & (3) of section 1.
1937	Agricultural Produce (Grading & Marketing) Act I of 1937.	Omit sub-section (2) of section 1.
	Hindu Women's Rights to Property Act XVII of 1937.	Omit sub-section (2) of section 1.
	Arya Marriage Validation Act XIX of 1937.	Omit the words "It extends to the whole of British India" in sub-section (2) of section 1.
1938	Insurance Act IV of 1938	(1) Omit sub-sections (2) & (3) of section 1. (2) In sub-section (3) of section 2, the words "Provincial Govt." shall stand unmodified. (3) Omit sub-sections (1) & (2) of section 70-B. (4) Omit sub-section (3A) of section 85. (5) Omit sub-section (2) of section 1.
	Criminal Law Amendment Act XX of 1938.	Omit sub-section (2) of section 1.
	Employers' Liability Act XXIV of 1938.	Omit sub-section (2) of section 1.
	Employment of Children Act XXVI of 1938.	Omit sub-section (2) of section 1.
1939	Motor Vehicles Act IV of 1939	(1) Omit sub-sections (2) & (3) of section 1. (2) Substitute "1949" for "1941" in sub-section (2) of section 23. (3) Omit sub-section (3) of section 133. (4) Omit sub-section (1) of section 134. (5) For sub-section (2) of section 134, substitute the following sub-section "(2). Notwithstanding the repeal of the Indian Motor Vehicles Act, 1914 or of any other enactment hitherto in force, rules made by any State, now comprised in Himachal Pradesh, under section 11, of the Indian Motor Vehicles Act or under any other enactment hitherto in force, other than rules prescribing the fees payable in respect of the grant or renewal of licences to drive motor vehicles, shall, whether or not they are consistent with this Act, continue to be

Year	Enactments Applied	Modifications and Restrictions
		in force for a period of nine months from the Commencement of this Act, unless before the expiry of that period they are cancelled by the Chief Commissioner, Himachal Pradesh".
		(8) Omit sub-section (3) of section 134.
		(7) For the words "Provincial Enactment or rules made thereunder" in sub-section (4) of section 134, substitute the following words, "enactment, or rule made thereunder, in force in any State, now comprised in Himachal Pradesh".
		(8) Omit sub-section (5) of section 134.
	Dissolution of Muslim Marriage Act VIII of 1939.	Omit sub-section (2) of section 1.
	Indian Air Force Volunteer Reserve (Discipline) Act XXXVI of 1939.	(1) Omit the words, "extends.....and" in sub-section (2) of section 1.
		(2) Omit sub-section (3) of section 1.
		(3) Omit section 7.
1940	Arbitration Act X of 1940	Omit sub-sections (2) & (3) of section 1.
	Drugs Act XXIII of 1940	Omit sub-sections (2) & (3) of section 1.
1942	Industrial Statistics Act XIX of 1942.	Omit sub-section (2) of section 1.
1946	Hindu Married Women's Right to Separate Residence and Maintenance Act XIX of 1946.	Omit sub-section (2) of section 1.
	Essential Supplies (Temporary Powers) Act XXIV of 1940.	(1) Omit sub-section (2) of section 1.
		(2) Omit sub-section (3) of section 1.
		(3) Omit clause (f) of section 2.
	Hindu Marriage Disabilities Removal Act XXVIII of 1946.	Omit sub-section (2) of section 1.
	Foreigners Act XXXI of 1946.	Omit sub-section (2) of sections 1.
1947	Foreign Exchange Regulation Act VII of 1947.	Omit sub-sections (2) & (3) of section 1.
	Explosives (Temporary Provisions) Act X of 1947.	Omit sub-sections (2) & (3) of section 1.
	Industrial Disputes Act XIV of 1947.	Omit sub-sections (2) & (3) of section 1.
	Imports and Exports Control Act XVIII of 1947.	(1) Omit sub-sections (2) & (3) of section 1.
		(2) Omit section 4.
	Press (Special Powers) Act XXXIX of 1947.	(1) Substitute "Himachal Pradesh" for "Chief Commissioner's Provinces" in the title of the Act and the preamble.
		(2) Omit sub-section (2) of section 1.

PUNJAB ACTS

1872	The Punjab Laws Act IV of 1872.	(1) Omit section 2.
		(2) Omit section 30.
		(3) Substitute, "Financial Commissioner" for "Commissioner of the division," in paragraph (1) of section 42 and substitute, "Court of the Judicial Commissioner Himachal Pradesh" for "Chief Court" in paragraph (2).
		(4) Substitute, "Court of the Judicial Commissioner, Himachal Pradesh" for "Chief Court" in section 51.
1880	The Punjab Vaccination Act XIII of 1880.	(1) Insert, "in other areas to which this Act may, specifically, be made, applicable, by the Provincial Government" after the words, "District Boards" in the preamble.
		(2) Insert the words, "and Himachal Pradesh" after the words, "Ajmer and Coorg" in para 2 of section 1.
		(3) Insert, "or any other area to which this Act has been specifically extended by the Provincial Government" after the words, "District Board" in section 5 and after the words, "any part thereof" in section 20.

Year	Enactments Applied	Modifications and Restrictions
1883	The Punjab District Boards Act XX of 1883.	<p data-bbox="574 223 1138 288">(4) Substitute, "Chief Commissioner, Himachal Pradesh" for, "Commissioner" wherever that word occurs in the Act.</p> <p data-bbox="574 296 1138 380">(1) Substitute, "Chief Commissioner, Himachal Pradesh", for "Commissioner or Commissioner of the division" wherever the latter words occur in the Act.</p> <p data-bbox="574 382 1042 405">(2) Omit sub-sections (2) & (3) of section 1.</p> <p data-bbox="574 407 1138 530">(3) Substitute, "with the sanction and subject to the control of the Chief Commissioner, Himachal Pradesh" for, "with the sanction of the Commissioner and subject to the control of the Provincial Government" in clause (c) of sub-section (2) of section 37.</p> <p data-bbox="574 532 1138 617">(4) Omit the words, "the Commissioner or Commissioners of the division or divisions, or when the districts are in different divisions and the Commissioners cannot agree" in section 38.</p> <p data-bbox="574 619 1138 684">(5) Omit the words, "the Commissioner and " and the words, "and Commissioner respectively" in sub-section (7) of section 39.</p> <p data-bbox="574 686 1138 827">(6) For sub-section (2) of section 44 substitute the following sub-section, "(2). If any difference of opinion arises between two or more Deputy Commissioners, exercising the powers conferred by sub-section (1), it shall be referred to the Chief Commissioner, Himachal Pradesh whose decision shall be final".</p> <p data-bbox="574 829 1138 894">(7) Omit the words, "with the powers of a Commissioner under section 44 or section 47, or" in section 48.</p> <p data-bbox="574 896 1138 1149">(8) For section 49, substitute the following section, "49. When the Deputy Commissioner, makes any order under section 45 or section 19-B or any officer empowered under section 48 makes any order under section 19-B or section 47, he shall forthwith forward to the Chief Commissioner, Himachal Pradesh, a copy of the order, with a statement of the reasons for making it and with such explanation if any, as the Board or Committee concerned may wish to offer. The Chief Commissioner, may, thereupon confirm, modify or rescind the order."</p> <p data-bbox="574 1151 1138 1193">(9) Omit the words, "and of all Commissioners" in sub-section (1) of section 50.</p> <p data-bbox="574 1195 1138 1236">(10) Omit the words, "The Commissioner of the division and" in sub-section (3) of section 50.</p> <p data-bbox="574 1238 1138 1322">(11) For clause (b) of sub-section (1) of section 54, substitute the following clause, "(b) to the Chief Commissioner, Himachal Pradesh, if the Local authorities concerned are in different districts".</p> <p data-bbox="574 1324 1042 1346">(12) Omit clause (c) of sub-section (1) of section 54.</p> <p data-bbox="574 1348 1138 1390">(13) Omit "Commissioners and " in clause (F) sub-section (1) of section 55.</p> <p data-bbox="574 1391 1138 1515">(14) For section 64, substitute the following section, "64. In all matters connected with this Act, the Chief Commissioner, Himachal Pradesh, shall have and exercise over the Deputy Commissioners, the same authority and control as he has and exercises over them in the general and revenue administration".</p>
1887	The Punjab Tenancy Act XVI of 1887.	<p data-bbox="574 1521 1042 1543">(1) Omit sub-sections (2) & (3) of section 1.</p> <p data-bbox="574 1545 1138 1649">(2) For section 6, substitute the following section "6. A tenant recorded in a record-of-rights, prepared before the coming into force of this Act, as a tenant having a right of occupancy in any land which he has continuously occupied from the time</p>

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The Punjab Land Revenue Act. XVII of 1887		of the preparation of that record, shall be deemed to have a right of occupancy in that land, unless the contrary has been established by a decree of a competent court in a suit instituted before the coming into force of this Act".
		<p>(1) Omit sub-sections (2) & (3) of section 1.</p> <p>(2) For sub-section (1) of section (2) substitute the following sub-section :—</p> <p>(2) "Notwithstanding anything contained in the Himachal Pradesh (Application of Laws) Order, 1948, Acts, Regulations, Rules and Rules, hitherto in force in Himachal Pradesh with respect to the making and the maintenance of Records of Rights of land, the assessment and collection of land-revenue and cesses thereon and other matters relating to land and liabilities incidental thereto, are repealed only to the extent to which they are inconsistent with the provisions of this Act."</p> <p>(3) Substitute "Central Government" for "Provincial Government" in sub-section (1) of section 7.</p> <p>(4) Omit sub-section (5) of section 7.</p> <p>(5) Omit the words beginning with "in which canal irrigation has been introduced" and ending with "period fixed" in provision (1) of sub-section 2 of section 53A.</p> <p>(6) Omit proviso (ii) to sub-section 2 of section 53A.</p> <p>(7) Omit the words "subject to the Provisions of section 60A", in section 60.</p> <p>(8) Omit section 60A.</p> <p>(9) Omit section 60B.</p> <p>(10) Insert the following as clause (d-I) in section 98 : "Sums payable to the Government on account of rent and other dues in respect of land".</p> <p>(11) Substitute the following for sub-section (1) of section 150 :— "(1) Where Government land or land which has been reserved for the common purposes of the co-sharers therein has been encroached on by any person or co-sharer, as the case may be, a revenue officer may, <i>suo moto</i> or on the application of any other co-sharer, eject the encroaching person from the land and by order proclaimed in manner mentioned in Section 22 forbid repetition of the encroachments."</p>
1898 The Punjab General Clauses Act, 1898. I of 1898:		<p>(1) For the interpretation of any enactment in Himachal Pradesh, the definitions contained in that Act shall be applicable only after effect has been given to any modification, restriction or rule of construction prescribed in respect of enactments by this order.</p> <p>(2) (a) For section 2 (12), the following shall be substituted :— "Commissioner" shall mean the Chief Commissioner of Himachal Pradesh.</p> <p>(b) For clause 14 of section 2, the following shall be substituted :— (14) "Deputy Commissioner" shall mean the Deputy Chief Commissioner of Himachal Pradesh.</p>
		<p>(3) Clauses (41) and (42) of section 2 shall be omitted.</p> <p>(1) Omit sub-section (2) of section 1.</p> <p>(2) Omit section 2.</p> <p>(3) Omit the words, "or through the Commissioner of the division" in sub-section (2) of section (4) and the words "to any Commissioner" in sub-section (3) of the same section.</p> <p>(4) Substitute "Hindi" for "Urdu" in sub-section (1) of section 28.</p>
1903 The Punjab Court of Wards Act. II of 1903.		

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1911	The Punjab Municipal Act. III of 1911.	<p>(1) Substitute, "Chief Commissioner, Himachal Pradesh" for "Commissioner or Commissioner of the division" wherever these words occur in the Act.</p> <p>(2) All Municipalities in Himachal Pradesh shall be second class Municipalities.</p> <p>(3) Omit sub-sections (2) and (3) of section 1.</p> <p>(4) Insert the words "or any other enactment hitherto in force" after the words "thereby repealed" in sub-section (2) of section 2.</p> <p>(5) Omit clause (b) of sub-section (4) of section 3.</p> <p>(6) For sub-section (1) of section 20, substitute the following sub-section "(1). Every Committee shall from time to time elect one of its members to be president, and the member so elected shall, if approved by the Chief Commissioner, Himachal Pradesh, become President of the Committee. Provided that the Committee, instead of electing a President and submitting his name for approval to the Chief Commissioner, may apply to him to appoint a president from among its members and that the Chief Commissioner, may, by notification, exclude any Committee from the operation of this sub-section, or if no election had been made within one month from the occurrence of a vacancy in the office of the president or if the person elected be not approved, the Chief Commissioner, may, if he thinks fit appoint one of the members of the Committee to be president."</p> <p>(7) Substitute "Chief Commissioner" for "Secretary, Transferred Departments" in the proviso to section 22.</p> <p>(8) Omit the words "in the case of a municipality of the first class, by the Provincial Government and in the case of a municipality, second class" in sub-section (1) of section 24 and the words "Or, in the case of any municipality of the second class, the Commissioner, with the previous sanction of the Provincial Government" in the proviso to the same section.</p> <p>(9) Omit sub-section (2) of section 32 and omit the words "within the division of the Commissioner" in sub-section (3) of the same section.</p> <p>(10) Omit the words "in the case of Committees of first class, and the Commissioner in case of those of the second class" in sub-section (1) of section 33.</p> <p>(11) Omit the proviso to section 42.</p> <p>(12) Omit the words "or, if the order has been passed by the Commissioner, to the Provincial Government" in sub-section (2) of section 50.</p> <p>(13) For clause (a) of sub-section (1) of section 61 substitute the following, "(a). A tax payable by the owner on buildings and lands (i) not exceeding twelve and a half per-centum on the annual value.</p> <p>(ii) not exceeding one anna and four pies per yard of the ground area or</p> <p>(iii) not exceeding four rupees per running foot of frontage in streets or bazaars.</p> <p>Provided that in the case of lands and buildings occupied by tenants in perpetuity, the tax shall be payable by such tenants."</p> <p>(14) For sub-section (6) of section 62, substitute the following sub-section, "(6). When the Committee has finally settled its proposals, it shall submit them together with the objections, if any, made</p>

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in that connection, to the Commissioner, who after considering the proposals and the objections, may either refuse to sanction the proposals or return them to the Committee for further consideration or sanction them without modification or with such modification not involving an increase of the amount to be imposed, as he deems fit."

- (15) Insert the following sub-section (8a) after sub-section (8) in section 62, "(8a). If the Commissioner sanctions the proposals, whether with or without modification, he shall notify the imposition of the tax and shall in the notification specify a date not less than three months from the date of the notification on which the tax shall come into force."
- (16) Omit sub-sections (7), (8) and (10) of section 62.
- (17) Substitute the words, "of a municipality" for the words, "of the municipalities of Simla, Dharamsala, Dalhousie and Murree" in sub-section (1) of section 103.
- (18) For sub-section (3) of section 192, substitute the following sub-section, "(3). The Committee shall consider every objection or suggestion with regard to the scheme which may be received by the date intimated under the provisions of sub-section (2) and may modify the scheme in consequence of any such objection or suggestion and shall then forward such scheme, as originally drawn up or as modified, to the Commissioner, who may, if he thinks fit, return it to the committee for reconsideration and resubmission by a specified date or may sanction such scheme or may refuse to sanction it".
- (19) For sub-section (4) of section 192, substitute the following sub-section, "(4). If a Committee fails to submit a scheme within six months of being required to do so under sub-section (1), or fails to resubmit a scheme by a specified date, when required to do so under sub-section (3) or resubmits a scheme which is not approved by the Commissioner, the Commissioner, may draw up a scheme of which public notice shall be given by notification and by publication within the municipality together with an intimation of the date by which any person may submit in writing to the Commissioner, any objection or suggestion which he may wish to make and the Commissioner may sanction such scheme as originally notified or modified in consequence of any such objection or suggestion, as the Commissioner, may think fit and the cost of such scheme or such portion of the cost as the Commissioner may deem fit, shall be defrayed from the municipal fund".
- (20) For sub-section (5) of section 192, substitute the following sub-section, "(5). When sanctioning a scheme, the Commissioner, may impose conditions for the submission of periodical reports on the progress of the scheme and for its inspection and supervision."
- (21) Omit the words, "or the Provincial Government under section 235" in the proviso to sub-section (4) of section 193.
- (22) Omit the words, "In the Municipalities of Dharamsala, Dalhousie and Murree" in Section 198.
- (23) For section 235, substitute the following section, "235. When the Deputy Commissioner, makes any order under section 232, section 233, section

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		<p>234, he shall forthwith forward to the Commissioner a copy thereof, with a statement of the reasons for making it, and with such explanation, if any, as the Committee may wish to offer, and the Commissioner, may thereupon confirm, modify or rescind the order".</p> <p>(24) Insert section 235A after section 235, "235A. When the Commissioner makes any order under section 232, section 234 or section 235, his order shall be final".</p> <p>(25) Omit, "and the Commissioner" in sub-section (1) of section 236.</p> <p>(26) Omit the words, "Commissioner or" in sub-section (2) and the words, "The Commissioner of the division and" in sub-section (3) of section 236.</p> <p>(27) Substitute, "Chief Commissioner, Himachal Pradesh" for "the Commissioner or Commissioners of the division or divisions" in clause (b) of sub-section (1) of section 239.</p> <p>(28) Omit clause (c) of sub-section (1) of section 239.</p> <p>(29) Omit the words, "under clause (c) of sub-section (1) " in the proviso to sub-section (2) of section 239.</p> <p>(30) Omit the words, "Commissioners, and " in clause (W) sub-section (1) of section 240.</p> <p>(31) Omit the words, "in the case of a municipality of the first class, or of the Commissioner, in the case of a municipality of the second class" in clause (iii) of sub-section (2) of section 240.</p> <p>(32) Omit the words, "if the enquiry concerns an election held in a municipality of the first class, and to the Commissioner in any other case" in section 254.</p> <p>(33) Omit the words, "in the case of an election held in a municipality of the first class and the Commissioner in any other case" in section 255.</p> <p>(34) Omit the words, "the Commissioner or" in the proviso to section 255.</p> <p>(35) Omit the words, "or by the Commissioner" in section 256.</p>
1914 The Punjab Excise Act. I of 1914		<p>(1) Omit sub-sections (2) and (3) of section I.</p> <p>(2) Omit clause (4) of section 3.</p> <p>(3) Omit clause (c) of section 8 and in clause (b) substitute "Collector" and "district" for "Commissioner" and "division" respectively.</p> <p>(4) Omit the words, "and of the Excise Commissioner" and, "the jurisdiction of Commissioner shall extend to their division" in section 12.</p> <p>(5) Omit, "Or Commissioner" in clause (a) and "Commissioner" in clause (b) of section 13.</p> <p>(6) Omit, "Commissioner or" in clause (b) of Section 15.</p> <p>(7) Omit "Commissioner" in clause (b) of sub-section (2) of section 58.</p>
1922 The Punjab Small Towns Act. II of 1922.		<p>(1) Substitute, "Chief Commissioner, Himachal Pradesh" for "Commissioner and Commissioner of the division" wherever the latter words occur in the Act.</p> <p>(2) Omit sub-section (2) of section 1.</p> <p>(3) Insert the words, "or any other enactment for the time being in force" after the words, "The Punjab Municipal Act, 1911" in sub-section (3a) of section (3) and sub-section (4) of section 4.</p> <p>(4) Omit the proviso to sub-section (1) of section 9.</p>

Year	Enactments applied	Modifications and Restrictions
1924	The Punjab Motor Vehicles Taxation Act, IV of 1924.	(1) Omit sub-sections (2) and (3) of section 1. (2) Omit the words, "before the 30th day of April, 1925, or if such person commences to keep the motor vehicle for use after the 10th day of April, 1925" in sub-section (1) of section 4. (3) Substitute the words, "Chief Commissioner, Himachal Pradesh" for "Commissioner" wherever it occurs in section 12.
1933	The Punjab Wild Birds and Wild Animals Protection Act, II of 1933.	(1) Omit sub-sections (ii), (iii) and (iv) of section 1.
1934	The Punjab Tobacco Vend Fees Act, V of 1934.	(1) Omit the words beginning with, "before a meeting of the Punjab Legislative Assembly..." and ending, "thirty days from the publication of the draft" in sub-section (4) of section 13.
1936	The Punjab Copying Fees Act, V of 1936.	(1) Omit sub-sections (2) and (3) of section 1.
1939	The Punjab Motor Spirit (Taxation of Sales) Act, I of 1939.	(1) Omit a sub-section (2) of section 1. (2) Omit the word, "Commissioner" in sub-section (1) of section 2.
	The Punjab Village Panchayat Act, XI of 1939.	(1) Substitute "Chief Commissioner, Himachal Pradesh" for "Commissioner" wherever the latter word occurs in the Act. (2) Insert the words "or any other enactment hitherto in force" after the words, "Punjab Municipal Act 1911" in the proviso to section 4. (3) For sub-sections (1), (2) and (3) of section 6, substitute the following sub-sections, "(1). The <i>panches</i> shall be appointed by the Deputy Commissioner from amongst inhabitants of the <i>Panchayat</i> area duly nominated by the said inhabitants in such manner as may be prescribed. Provided that a nomination shall be deemed valid only if the nomination paper is signed by at least ten bonafide residents of the <i>Panchayat</i> area. (2) The <i>Lambardar</i> of a <i>Panchayat</i> area shall ex-officio be a <i>panch</i> . Provided that if there are more than one <i>lambardars</i> in the <i>Panchayat</i> area, the Deputy Commissioner shall appoint one of such <i>Lambardars</i> to be a <i>panch</i> . Provided further that any <i>Lambardar</i> , not appointed an ex-officio <i>panch</i> shall be eligible for nomination and appointment under sub-section (1)". (4) Omit the words, "When his election has been confirmed by the prescribed authority" in sub-section (4) of section 6. (5) For, "re-election", substitute, "re-appointment" in sub-section (2) of section 8. (6) For section 9 substitute the following section "Whenever a vacancy occurs by the death, resignation or removal of a <i>panch</i> , <i>naib-sarpanch</i> or a <i>sarpanch</i> , a new <i>panch</i> , <i>naib-sarpanch</i> or <i>sarpanch</i> shall be appointed by the Deputy Commissioner or elected by the <i>Panchayat</i> , as the case may be, in accordance with the provisions of section 6, 7 and 10, and the person so appointed or elected will fill such vacancy for the unexpired remainder of the term for which such office-holder would otherwise have continued in office." (7) Omit sub-section (1) of section 10. (8) Omit the words, "a Commissioner Or" in sub-section (1) of section 70. (9) Omit sub-section (2) of section 70. (10) Omit, "Commissioners" in section 74.

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1947	The Punjab Public Safety Act, II of 1947,	(1) Omit sub-sections (2) and (3) of section 1. (2) Omit the words, "since the 3rd March, 1947" and the words, "since the said date" in clause (i) of section 33. (3) Omit the words, "forthwith by him through the Commissioner of the division" in clause (ii) of section 33. (4) Omit the words, "since the 3rd March, 1947" in sub-section (1) of section 34. (5) Omit the words, "the Commissioner of the division" in sub-section (3) of section 34.
	The Punjab Urban Rent Restriction Act, VI of 1947.	(1) Omit sub-section (3) of section 1. (2) Omit the words, "or the corporation of Lahore" in clause (b) of sub-section (2) of section 4.
	The Punjab Requisitioning of Immoveable Property (Temporary Powers) Act, XVII of 1947.	(1) Omit sub-section (2) of section 1.
1948	The East Punjab Opium Smoking Act, XXV of 1948.	(1) Omit the words, "it shall, with the exception of section (7) come into force at once and " in sub-section (3) of section 1.

HARI SHARMA, Dy. Secy.